United Nations PCNICC/2002/WGFYB/RT.4

Preparatory Commission for the International Criminal Court

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19 June 2002

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Working Group on a Draft Budget for the First Financial Period of the Court
New York
1-12 July 2002

Draft decision of the Assembly of States Parties relating to participation of the International Criminal Court in the United Nations Joint Staff Pension Fund

Proposal by the Coordinator

The Assembly of States Parties,

Recalling paragraphs 25 and 39 of the outcome of the intersessional meeting of experts held at The Hague from 11 to 15 March 2002 (PCNICC/2002/INF/2) and the discussions in the Working Group on the first-year budget during the ninth session of the Preparatory Commission for the International Criminal Court concerning the participation of the International Criminal Court in the United Nations Joint Staff Pension Fund,

Noting that article 3, paragraph (b), of the Regulations of the UNJSPF provides that membership in the Fund shall be open to the specialized agencies referred to in Article 57, paragraph 2, of the Charter of the United Nations and to any other international, intergovernmental organization which participates in the common system of salaries, allowances and other conditions of service of the United Nations and the specialized agencies,

Bearing in mind article 4 of the Rome Statute of the International Criminal Court,

Also bearing in mind that admission to membership of the United Nations Joint Staff Pension Fund is by decision of the General Assembly of the United Nations and requires the acceptance by the organization concerned of the Regulations of the Fund and the conclusion of an agreement with the United Nations Joint Staff Pension Board (the supervisory organ for the Fund) as to the conditions which shall govern its admission,

Recognizing the importance of enabling the Court to recruit and retain the best-qualified personnel,

02-43275 (E) 250602

1. *Recommends* that the International Criminal Court participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and accept, as appropriate, the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of such regulations;

2. *Requests* the Registrar[1] to take the necessary steps in order for the International Criminal Court to apply for membership in the United Nations Joint Staff Pension Fund and to conclude with the United Nations Joint Staff Pension Board an agreement as referred to in article 3, paragraph (c), of the Regulations of the Fund.

[1] If necessary, prior to the Registrar taking up post, the Director of Common Services.

United Nations PCNICC/2002/WGFYB/RT.5

Preparatory Commission for the International Criminal Court

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24 June 2002

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Working Group on a Draft Budget for the First Financial Period of the Court
New York
1-12 July 2002

Budget for the first financial period

Draft resolution to be adopted by the Assembly of States Parties

Proposal by the Coordinator

(Scenario A — New York)

A
Budget appropriations for the first financial period

The Assembly of States Parties

1. *Resolves* that, as an exception to regulation 2.1 of the Financial Regulations of the Court, the first financial period shall extend from 1 September 2002 to 31 December 2003;

2. *Hereby approves* appropriations totalling 31,995,400 euros for the following purposes:

Section	*Thousands of euros*
A. *Operations of the Court*	
1. The Presidency, the Divisions and the Chambers	2 221.7
2. The Prosecutor	4 062.5
3. The Registry	3 043.4
4. Common Services Division	14 190.1
5. Unforeseen and extraordinary expenses	1 052.0
Total, part A	**24 569.7**
B. *Meetings of the Assembly of States Parties, of the Bureau, of the Budget and Finance Committee, and the Inaugural Meeting*	
Total, part B	**7 425.7**
Total, expenditure sections	**31 995.4**

02-43959 (E) 270602

B

Financing of appropriations for the first financial period

The Assembly of States Parties

Resolves that for the first financial period,

1. Budget appropriations consisting of _____ euros, approved for the first financial period by the Assembly under paragraph 1 of resolution A above, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the Court, as follows:

(a) _____ euros, being one quarter of the assessment on States, to be assessed in accordance with its resolution _____ of __ September 2002 on the scale of assessments for the year 2002;

(b) _____ euros, being three quarters of the assessment on States, to be assessed in accordance with its resolution _____ of __ September 2002 on the scale of assessments for the year 2003;

2. In accordance with financial regulation 5.6, the assessment for the year 2002 is due thirty days after receipt of the assessment letter, and the assessment for 2003 is due on 1 January 2003. States may elect to pay their entire assessed contribution for 2003 or a portion thereof earlier than 1 January 2003;

3. In accordance with the provisions of resolution _____ of __ September 2002, States Parties may set off against their assessment their contribution to the Trust Fund.

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Preparatory Commission for the International Criminal Court

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New York, 1-12 July 2002

Budget for the first financial period

Draft resolution to be adopted by the Assembly of States Parties

Proposal by the Coordinator

A
Budget appropriations for the first financial period

The Assembly of States Parties

1. *Resolves* that, as an exception to regulation 2.1 of the Financial Regulations of the Court, the first financial period shall extend from 1 September 2002 to 31 December 2003;

2. *Hereby approves* appropriations totalling _____ euros for the following purposes:

Section	*Thousands of euros*
1. The Presidency, the Divisions and the Chambers	_____
2. The Prosecutor	_____
3. The Registry	_____
4. Common Services Division	_____
5. Unforeseen and extraordinary expenses	_____
6. Meetings of the Assembly of States Parties, of the Bureau, of the Committee on Budget and Finance, the Inaugural Meeting, the Board of Directors of the Victims Trust Fund, and subsequent meetings of the Court in plenary session	_____
Total, expenditure sections	_____

02-47252 (E) 100702

B

Financing of appropriations for the first financial period

The Assembly of States Parties

Resolves that for the first financial period,

1. Budget appropriations consisting of _____ euros, approved for the first financial period by the Assembly under paragraph 1 of resolution A above, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the Court, as follows:

(a) _____ euros, being one quarter of the assessment on States, to be assessed in accordance with its resolution ____ of __ September 2002 on the scale of assessments for the year 2002;

(b) _____ euros, being three quarters of the assessment on States, to be assessed in accordance with its resolution ____ of __ September 2002 on the scale of assessments for the year 2003;

2. In accordance with financial regulation 5.6, the assessment for the year 2002 is due thirty days after receipt of the assessment letter, and the assessment for 2003 is due on 1 January 2003. States may elect to pay their entire assessed contribution for 2003 or a portion thereof earlier than 1 January 2003;

3. In accordance with the provisions of resolution ____ of __ September 2002, States Parties may set off against their assessment their contribution to the Trust Fund.

4. Notwithstanding the provisions of financial regulation 4.8, and as a temporary measure, the Registrar is authorized to make transfers between appropriation sections 1 to 4 and section 6 of the budget up to an amount not exceeding 10 per cent of the amount appropriated for the section from which the transfer is made, in consultation with the Prosecutor, as appropriate. All such transfers shall be reported to the next session of the Assembly of States Parties, through the Committee on Budget and Finance.

United Nations PCNICC/2002/WGFYB/RT.6

Preparatory Commission for the International Criminal Court

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Working Group on a Draft Budget for the First Financial Period of the Court
New York
1-12 July 2002

Scale of assessments for the apportionment of the expenses of the International Criminal Court

Draft resolution to be adopted by the Assembly of States Parties

The Assembly of States Parties

Decides that for the first financial period of the International Criminal Court, it will adopt the scale of assessments of the United Nations applicable for the period 2002-2003, with adjustments to take into account the difference in membership between the United Nations and the Assembly of States Parties to the Rome Statute.

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United Nations PCNICC/2002/WGFYB/RT.6/Rev.1

Preparatory Commission for the International Criminal Court

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20 June 2002

Original: English

Working Group on a Draft Budget for the First Financial Period of the Court
New York, 1-12 July 2002

Draft resolution to be adopted by the Assembly of States Parties

Scales of assessments for the apportionment of the expenses of the International Criminal Court

The Assembly of States Parties

Decides that, for the first financial period of the International Criminal Court, it will adopt the respective scales of assessments of the United Nations applicable for the period 2002-2003, with adjustments to take into account the difference in membership between the United Nations and the Assembly of States Parties to the Rome Statute, in accordance with the principles upon which the scale of the United Nations is based.

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United Nations PCNICC/2002/WGFYB/RT.7

Preparatory Commission for the International Criminal Court

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20 June 2002

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Working Group on a Draft Budget for the First Financial Period of the Court
New York
1-12 July 2002

Working Capital Fund for the first financial period

Draft resolution to be adopted by the Assembly of States Parties

The Assembly of States Parties

Resolves that:

(a) There shall be established a Working Capital Fund to ensure capital for the Court to meet short-term liquidity problems pending receipt of assessed contributions, in accordance with regulation 6.2 of the Financial Regulations of the Court;

(b) The Working Capital Fund shall be established for the first financial period of the Court in the amount of _____ euros;

(c) States shall make advances to the Working Capital Fund in accordance with the scale adopted by the Assembly of States Parties in its resolution ___ of ___ September 2002 on the scale of assessments for the apportionment of the expenses of the International Criminal Court, as applicable to the year 2002;

(d) In accordance with regulation 5.8 of the Financial Regulations of the Court, payments made by a State Party shall be credited first to the Working Capital Fund and then to the contributions due, in the order in which the State Party was assessed.

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United Nations PCNICC/2002/WGFYB/RT.7/Rev.1

Preparatory Commission for the International Criminal Court

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Working Group on a Draft Budget for the First Financial Period of the Court
New York, 1-12 July 2002

Working Capital Fund for the first financial period

Draft resolution to be adopted by the Assembly of States Parties

The Assembly of States Parties

Resolves that:

(a) The Working Capital Fund shall be established for the first financial period of the Court in the amount of _____ euros;

(b) States shall make advances to the Working Capital Fund, in accordance with the scale adopted by the Assembly of States Parties in its resolution ____ of __ September 2002 on the scale of assessments for the apportionment of the expenses of the International Criminal Court, **and as an exception to regulation 6.2 of the Financial Regulations of the Court,** as applicable to the year 2002;

(c) In accordance with financial regulation 5.8, payments made by a State Party shall be credited first to the Working Capital Fund and then to the contributions due, in the order in which the State Party was assessed.

02-47246 (E) 100702

United Nations PCNICC/2002/WGFYB/RT.8

Preparatory Commission for the International Criminal Court

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Working Group on a Draft Budget for the First Financial Period of the Court
New York
1-12 July 2002

General Fund for the first financial period

Draft resolution to be adopted by the Assembly of States Parties

The Assembly of States Parties

Resolves that there shall be established a General Fund for the purposes of accounting for the expenditures of the International Criminal Court, in accordance with regulation 6.1 of the Financial Regulations of the Court.

02-43772 (E) 240602

United Nations PCNICC/2002/WGFYB/RT.9

Preparatory Commission for the International Criminal Court

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Working Group on a Draft Budget for the First Financial Period of the Court
New York
1-12 July 2002

Budget for the first financial period

Draft resolution to be adopted by the Assembly of States Parties

Proposal by the Coordinator

(Scenario B — The Hague)

A
Budget appropriations for the first financial period

The Assembly of States Parties

1. *Resolves* that, as an exception to regulation 2.1 of the Financial Regulations of the Court, the first financial period shall extend from 1 September 2002 to 31 December 2003;

2. *Hereby approves* appropriations totalling 31,682,400 euros for the following purposes:

Section	*Thousands of euros*
A. Operations of the Court	
1. The Presidency, the Divisions and the Chambers	2 221.7
2. The Prosecutor	4 062.5
3. The Registry	3 043.4
4. Common Services Division	14 190.1
5. Unforeseen and extraordinary expenses	1 052.0
Total, part A	**24 569.7**
B. Meetings of the Assembly of States Parties, of the Bureau, of the Budget and Finance Committee, and the Inaugural Meeting	
Total, part B	**7 112.7**
Total, expenditure sections	**31 682.4**

02-43967 (E) 270602

B

Financing of appropriations for the first financial period

The Assembly of States Parties

Resolves that for the first financial period,

1. Budget appropriations consisting of _____ euros, approved for the first financial period by the Assembly under paragraph 1 of resolution A above, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the Court, as follows:

(a) _____ euros, being one quarter of the assessment on States, to be assessed in accordance with its resolution _____ of ____ September 2002 on the scale of assessments for the year 2002;

(b) _____ euros, being three quarters of the assessment on States, to be assessed in accordance with its resolution _____ of ____ September 2002 on the scale of assessments for the year 2003;

2. In accordance with financial regulation 5.6, the assessment for the year 2002 is due thirty days after receipt of the assessment letter, and the assessment for 2003 is due on 1 January 2003. States may elect to pay their entire assessed contribution for 2003 or a portion thereof earlier than 1 January 2003;

3. In accordance with the provisions of resolution _____ of ____ September 2002, States Parties may set off against their assessment their contribution to the Trust Fund.

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Preparatory Commission for the International Criminal Court

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24 June 2002

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Working Group on a Draft Budget for the First Financial Period of the Court
New York
1-12 July 2002

Draft decision of the Assembly of States Parties relating to the provision of funds for the Court

Proposal by the Coordinator

The Assembly of States Parties

Recalling paragraph 4 of the document entitled "Establishment of the International Criminal Court: note by the Secretariat concerning the responsibilities entrusted to the Secretary-General under draft resolution A/C.6/56/L.21", in particular, the reference to assistance in determining the scale of assessments of the first-year budget of the Court,

Recognizing the necessity to transmit to States their assessments as soon as possible following the adoption of the budget by the Assembly of States Parties,

Requests the Secretary-General of the United Nations, as an exception to regulation 5.5 of the Financial Regulations of the Court, to inform States Parties of their commitments in respect of their assessed contributions for the first financial period of the Court and advances to the Working Capital Fund.

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United Nations PCNICC/2002/WGFYB/RT.11

Preparatory Commission for the International Criminal Court

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1 July 2002

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Working Group on a Draft Budget for the First Financial Period of the Court
New York
1-12 July 2002

Draft decision of the Assembly of States Parties relating to the scale of assessments

Proposal by the Coordinator

The Assembly of States Parties,

Noting that regulation 5.2 of the Financial Regulations of the Court provides that the scale of assessments shall be adopted by the Assembly of States Parties,

Bearing in mind that new States Parties may ratify the Rome Statute and therefore be subject to assessment,

Authorizes the Registrar, as an exception to financial regulation 5.2, to adopt the scale of assessments to take into account a change in membership during the first financial period.

02-45119 (E) 010702

United Nations PCNICC/2002/WGFYB/RT.12

Preparatory Commission for the International Criminal Court

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3 July 2002

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Working Group on a Draft Budget for the First Financial Year of the Court
New York
1-12 July 2002

Proposed texts of provisions on plenary sessions of the Court subsequent to its Inaugural Meeting

Proposal by the Coordinator

Introduction

In view of the provisions of article 43, paragraph 4, of the Rome Statute and rule 12, paragraph 3, of the finalized draft text of the Rules of Procedure and Evidence concerning the election of the Registrar of the Court, as well as the provisions of article 52 of the Statute concerning the Regulations of the Court, it is proposed that, in 2003, a one-day plenary session of the Court be foreseen for the election of the Registrar and a two-week plenary session of the Court be contemplated for the elaboration and adoption of the Regulations of the Court. Accordingly, the following texts of the proposed provisions would have to be included in Parts One and Two of the revised draft budget for the first financial period of the Court.

Insert in document PCNICC/2002/L.1/Rev.1/Add.1 the following:

[Part One]

"V bis. Subsequent meetings of the Court in plenary session

"29 bis. In accordance with article 43, paragraph 4, of the Rome Statute and rule 12, paragraph 3, of the finalized draft text of the Rules of Procedure and Evidence, the Court should meet in plenary session for the election of the Registrar. Accordingly, a one-day plenary session is proposed for this purpose, to be held at the temporary premises of the Court in The Hague after the resumed/special meeting of the Assembly of States Parties in April 2003. The meeting would entail travel and related expenses of nine non-full-time judges

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who would join the other nine judges serving on a full-time basis as soon as they are elected.

"29 ter. In accordance with article 52 of the Rome Statute, the judges shall adopt the Regulations of the Court necessary for its routine functioning. It is proposed that time be made available for the consideration and adoption of the Regulations. Accordingly, a two-week session is suggested for this purpose. This would entail travel and related expenses for the nine non-full-time judges. Such time would also be an occasion for the judges to familiarize themselves with other aspects concerning the judicial and administrative functioning of the Court."

Insert in document PCNICC/2002/WGFYB/L.3 the following:

[Part Two]

"124 bis. For the one-day plenary session of the Court to elect the Registrar, a provision of **€47,100** has been included to cover the estimated cost of travel of nine non-full-time judges to The Hague as well as their special allowance and subsistence allowance payable under the conditions of service of such judges. No additional cost would be required for participation in this session by the other nine judges serving on a full-time basis.

"124 ter. Analogous considerations as described in the preceding paragraph have been made in the costing for the nine non-full-time judges to attend the two-week session of the Court to consider and adopt the Regulations of the Court. A provision of **€101,300** has been included for this purpose. The total costs for the one-day plenary session and the two-week plenary session are shown in table 5.B.

[Table 5
Estimates by object of expenditure
(In thousands of euros)

A. Presidency, Divisions and Chambers of the Court]

"...

"B. Meetings of the Court in plenary session subsequent to the Inaugural Meeting

Expenditure	*Estimated requirements*
Airfare for nine non-full-time judges	**76 000**
Special allowance	**45 600**
Subsistence allowance	**26 800**
Total requirements	**148 400"**

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New York, 1-12 July 2002

Proposed texts of provisions on the conditions of service of judges of the International Criminal Court

Proposal by the Coordinator

Introduction

In addition to the conditions of service of full-time judges of the International Criminal Court agreed upon at the ninth session of the Preparatory Commission (PCNICC/2002/L.1/Rev.1/Add.2), the Working Group on Financial Issues-Remuneration of Judges has agreed on the conditions of service of non-full-time judges (PCNICC/2002/WGFI-RJ/RT.2/Rev.2). Accordingly, the following texts of the proposed provisions would have to be included in Parts One and Two of the draft budget for the first financial period of the Court to reflect the conditions of service of non-full-time judges. It is also proposed that the conditions of service of the judges of the International Criminal Court be reproduced in annex VI to the draft budget for the first financial period of the Court.

- **Amend the text of Part One of the draft budget (PCNICC/2002/L.1/Rev.1/Add.1, sect. A) as follows:**

Paragraph 41

The last sentence *should read*

> The conditions of service and compensation of ICC judges are set out in annex VI.

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- **In the text of Part Two of the draft budget (PCNICC/2002/WGFYB/L.3), after existing paragraph 121, insert a new paragraph 121 bis, reading:**

> **121 bis. As to the nine non-full-time judges, their annual allowance of €165,000 is estimated in accordance with annex VI, "Conditions of service and compensation of ICC judges", paragraph 9. Moreover, it is assumed that up to five non-full-time judges may be eligible for a supplementary annual allowance of €40,000 (per judge per annum), in accordance with annex VI, paragraph 10. Accordingly, a provision of €183,300 has been included to cover 11 months of additional allowance for five such judges.**

- **Also in Part Two, amend table 5 to read:**

A. Presidency, Divisions and Chambers of the Court

Expenditure	*Estimated requirements*
Salaries and allowances of full-time judges	1 510.7
Allowances of non-full-time judges	348.3
Common costs of judges	680.0
Travel of full-time judges	31.0
Total requirements	**2 570.0**

- **Add a new annex VI, reading:**

Annex VI

I. Full-time judges

A. Salaries

1. The annual remuneration of full-time judges will be €180,000 net.

B. Special allowance for the President

2. A special allowance will be paid at the rate of 10 per cent of the President's annual remuneration. Based on the salary above of €180,000, the special allowance will be €18,000.

C. Special allowance for the First or Second Vice-President if acting as President

3. A special allowance of €100 per day will be paid, subject to a cap of €10,000 per year, to the First or Second Vice-President if acting as President.

D. Non-salary benefits/allowances

Educational assistance

4. When the judges take up residence in the host country, they will be entitled to assistance for the education of dependants, in accordance with terms and conditions similar to those applicable to the United Nations (see administrative issuances ST/AI/2002/1; ST/AI/1999/4; ST/IC/2002/5).

Pension

5. The judges are entitled to a pension benefit similar to that applicable to Judges of the International Court of Justice. The following are the principal features:

(a) The pension scheme is non-contributory, i.e., pensions are a direct charge to the budget;

(b) A retirement pension equal to half the annual salary, at the time of retirement, is paid to a judge who has completed a full nine-year term;

(c) A proportional reduction is applied if the judge has not completed a nine-year term, provided the judge has served for at least three years, but no additional pension is paid if the judge has completed more than nine years of service;

(d) A surviving spouse receives 50 per cent of the late judge's pension. If he or she remarries, he or she will receive a final lump-sum benefit equal to twice the amount of the spouse's benefit;

(e) Pensions in payment are revised by the same percentage and at the same date as salary adjustments.

Health insurance

6. Judges will be responsible for their own health insurance.

Travel/relocation costs[a]

7. When judges take up residence in the host country, they are entitled to:

(a) A trip from his or her declared home[b] to the seat of the Court, in connection with the transfer of his or her residence;

---

[a] The Rome Statute does not specifically address the issue of the residence of judges. Article 35 of the Rome Statute provides that full-time judges of the Court "shall be available to serve on that basis from the commencement of their terms of office". Moreover, article 40 provides that judges "required to serve on a full-time basis at the seat of the Court shall not engage in any other occupation of a professional nature". The question of the residence of full-time judges and their availability to serve on that basis at the seat of the Court is a matter which the Rome Statute has entrusted to the judges. Article 52 sets out the manner in which the Regulations of the Court are to be elaborated and adopted. In considering the issue of the residence of full-time judges, the judges themselves will take a decision as to whether or not residence at the seat of the Court is required for full-time service, bearing in mind the permanent character of the Court.

[b] "Home" is defined as the residence declared by the judge at the time of appointment or as modified subsequently.

(b) An assignment grant to cover relocation expenses, in accordance with terms and conditions identical to those applicable to the United Nations (see ST/AI/2000/17);

(c) A round trip every second calendar year after the year of appointment from the seat of the Court to his or her declared home;

(d) A trip upon termination of appointment from the seat of the Court to his or her declared home, or to any other place, provided that the cost of the trip is not greater than the cost of the trip to his or her declared home, which was established at the time of appointment;

(e) Reimbursement by the Court for the travel expenses of the spouse and/or dependent children of the judge for trips undertaken in conjunction with the above where the spouse and/or dependent children reside with the judge at the seat of the Court.

8. All travel shall be by business-class travel between the declared home and the seat of the Court by the most direct route.

II. Non-full-time judges

A. Allowances

Annual allowance

9. An annual allowance, payable monthly, of 20,000 euros.

10. In addition to an annual allowance, a judge who declares, on an annual basis to the President of the Court, that his or her net income, including the annual allowance referred to in paragraph 9 above, is less than the equivalent of 60,000 euros per annum will receive an allowance, payable monthly, to supplement his or her declared net income up to 60,000 euros.

Special allowance when engaged on the business of the Court

11. A special allowance of 270 euros for each day that a judge is engaged on the business of the Court, as certified by the Presidency.

Subsistence allowance

12. A subsistence allowance, at the United Nations rate in euros, applicable to judges of the International Court of Justice, for each day that a judge attends meetings of the Court.

B. Benefits

Pension

13. The judges on non-full-time status are not entitled to a pension benefit. Once they are called to serve as a full-time judge, the pension benefit provisions of a full-time judge will be applicable.

Health insurance

14. Judges will be responsible for their own health insurance.

Travel costs

15. Travel to official meetings of the Court. All travel shall be by business-class travel between the declared home and the seat of the Court by the most direct route.

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Preparatory Commission for the International Criminal Court

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New York, 1-12 July 2002

Texts of provisions on the issues related to a fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims, established pursuant to article 79 of the Rome Statute

Proposal by the Coordinator

In view of the draft resolution of the Assembly of States Parties on the establishment of a fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims (PCNICC/2002/WGFI-VTF/RT.1), which, inter alia, establishes a Board of Directors, it is proposed that provision be made for a three-day meeting of the Board as well as for the creation of a P-3 post within the Victims Participation and Reparation Unit of the Registry for a six-month period to deal exclusively with matters related to the Victims Trust Fund. Accordingly, the following texts of the proposed provisions would have to be included in Parts One and Two of the draft budget for the first financial period of the Court.

- **In the text of Part One of the draft budget (PCNICC/2002/L.1/Rev.1/Add.1, sect. A), before the heading "VI. Committee on Budget and Finance", insert the following new text:**

V ter. Meeting of the Board of Directors of a fund for the benefit of victims of crimes within the jurisdiction of the Court, and of the families of such victims, established pursuant to article 79 of the Rome Statute (hereinafter "the Victims Trust Fund")

29 quater. In accordance with the draft resolution of the Assembly of States Parties on the establishment of the Victims Trust Fund (PCNICC/2002/WGFI-VTF/RT.1), a Board of Directors of the Victims Trust Fund, consisting of five members elected on the basis of, among other considerations, equitable geographical distribution, is envisaged to be elected

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by the Assembly of States Parties. It is proposed that provision be made for a three-day meeting of the Board of Directors at The Hague in 2003. The meeting would entail travel and daily subsistence allowance for the five members of the Board. The overall estimated costs are €26,100.

- **Also in Part One of the draft budget, after existing paragraph 87, insert:**

87 bis. In the light of the activities envisaged under the draft resolution of the Assembly of States Parties on the establishment of the Victims Trust Fund, it is proposed that a post at the P-3 level dealing exclusively with matters related to the Victims Trust Fund be created within the Victims Participation and Reparation Unit of the Registry. The person will be appointed by the Registrar for a six-month period upon the recommendation of the Board of Directors of the Victims Trust Fund. The estimated requirements amount to €48,000.

- **In the text of Part Two of the draft budget (PCNICC/2002/WGFYB/L.3), after existing paragraph 170, insert the following new text:**

C bis. Estimated costs of the meeting of the Board of Directors of the Victims Trust Fund

170 bis. It is proposed that provision be made for a three-day meeting of the Board of Directors of the Victims Trust Fund to be held at The Hague in 2003. The meeting would entail business-class travel and daily subsistence allowance for the five members of the Board. The overall estimated costs are €26,100.

	Euros
Travel for five members of the Board	21 800
Daily subsistence allowance	4 300
Total	**26 100**

United Nations PCNICC/2002/WGFYB/RT.15

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11 July 2002

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Working Group on a Draft Budget for the First Financial Period of the Court
New York, 1-12 July 2002

Draft decision to be adopted by the Assembly of States Parties

Interim arrangements for the exercise of authority pending the assumption of office by the Registrar

The Assembly of States Parties,

Bearing in mind that the Registrar of the Court will not assume his or her functions and responsibilities until mid-2003,

Decides that the Director of Common Services shall, on an interim basis, perform the functions and responsibilities of the Registrar as set out in the Financial Regulations and Rules, except for the authority to make transfers between appropriation sections as set out in the applicable resolution, and those derived from articles 44, paragraph 1, 44, paragraph 2, and 112, paragraph 5, of the Statute, until such time as the Registrar assumes his or her functions and responsibilities.

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United Nations PCNICC/2002/WGFYB/RT.16

Preparatory Commission for the International Criminal Court

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English
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Working Group on a Draft Budget for the First Financial Period of the Court
New York, 1-12 July 2002

Draft resolution to be adopted by the Assembly of States Parties

Selection of the staff of the International Criminal Court

The Assembly of States Parties,

Bearing in mind articles 44, paragraph 2, and 36, paragraph 8, of the Rome Statute of the International Criminal Court, whereby in the employment of the staff of the International Criminal Court the highest standards of efficiency, competency and integrity shall be ensured and account shall be taken of the need for the representation of the principal legal systems of the world, equitable geographic representation and a fair representation of men and women,

Bearing in mind also article 50 of the Statute, according to which the official languages of the Court shall be Arabic, Chinese, English, French, Russian and Spanish and the working languages shall be English and French,

Noting that the Staff Regulations provided for in article 44, paragraph 3, of the Statute, embodying these principles cannot be enacted by the Assembly of States Parties before the second half of 2003,

Desiring to set interim guidelines for the application of these principles during the transitional period of the establishment of the Court,

Decides that the guidelines contained in the annex to the present resolution shall be applied in the selection and appointment of the staff of the Court until the Staff Regulations are adopted in accordance with the Statute.

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Annex

1. **General principle**. The requirements of article 36, paragraph 8, article 44, paragraph 2, and article 50, paragraphs 1 and 2, of the Statute shall apply to the recruitment of the entire staff of the Court, without any distinction as to category. However, with regard to geographical representation, the system described in paragraph 4 below shall apply only to staff in the Professional category (level P-1 and above).

2. **Notifications**. All vacancies to be filled, and requirements to be met by candidates to such vacancies, shall be notified to all States Parties and to those States which, having engaged in the process of ratification of or accession to the Statute, have expressed an interest in receiving such notifications. All such vacancies shall also be posted on the web site of the Court.

Where appropriate in order to achieve a better balance in gender or geographical representation, such notifications may include preferential consideration of candidates of given nationalities or gender.

3. **Competency**. As a general rule, the competency of candidates shall be determined through an initial evaluation of their background and experience. This should, wherever possible and appropriate, include examples of the candidate's capacity of analysis and drafting ability in one or both of the working languages of the Court. This evaluation may, where appropriate, be of a competitive nature. The second stage of the evaluation shall consist of an oral interview in one or both of the working languages.

In the case of candidates from similar institutions, the initial evaluation may consist of an assessment of the candidate's experience and record in the releasing organization. This would be followed by an oral interview in one or both of the working languages.

In both cases, knowledge of at least another official language shall be considered as an additional asset.

4. **Geographical representation**. For established (i.e., budgeted) posts, and in the case of appointments of at least 12 months' duration, the selection of staff in the Professional category shall be guided in principle by a system of desirable ranges based on that of the United Nations.[1] Nationals from States Parties and from those States having engaged in the process of ratification of or accession to the Statute should have adequate representation on the staff of the Court; however, applications from nationals from non-States Parties may also be considered.

5. **Selection Committee**. The Director of Common Services shall establish a Selection Committee of not more than three individuals to provide advice on the selection of staff in accordance with these guidelines. The officer in charge of human resources shall be the convenor of the Committee.

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[1] See A/56/512 and General Assembly resolution 55/258.